

FILED
DISTRICT COURT OF GUAM
JUN 20 2006
MARY L.M. MORAN
CLERK OF COURT

**DISTRICT COURT OF GUAM
TERRITORY OF GUAM**

UNITED STATES OF AMERICA,

Criminal Case No. 04-00008

Plaintiff,

vs.

VERDICT FORM

KUANG-HUA CHEN,

Defendant.

COUNT I - CONSPIRACY TO IMPORT

METHAMPHETAMINE HYDROCHLORIDE

We, the Jury, in the above-entitled case unanimously find the defendant, KUANG-HUA CHEN: Violation of Title 21, United States Code, Sections 952(a), 960, and 963:

/ ☒ / NOT GUILTY

/ / GUILTY

as charged in Count I of the Superseding Indictment.

1. If you find the defendant KUANG-HUA CHEN guilty as charged in Count I of the Superseding Indictment, do you unanimously find beyond a reasonable doubt that the controlled substance that defendant KUANG-HUA CHEN conspired to import was methamphetamine hydrochloride also known as "ice"?

_____ Yes

_____ No

1 2. If you find beyond a reasonable doubt that the controlled substance KUANG-HUA
2 CHEN conspired to import was methamphetamine hydrochloride also known as "ice," do you
3 unanimously find beyond a reasonable doubt that the total amount of methamphetamine
4 hydrochloride also known as "ice," defendant KUANG-HUA CHEN either directly imported or
5 agreed, understood, or reasonably could have foreseen would be imported by other co-
6 conspirators in furtherance of the conspiratorial agreement was:

7 _____ at least 1.5 kilograms or more of methamphetamine hydrochloride;

8 OR

9 _____ at least 50 grams or more of methamphetamine hydrochloride;

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11 _____ at least 5 grams but less than 50 grams of methamphetamine
12 hydrochloride;

13 OR

14 _____ a detectable amount but less than 5 grams of methamphetamine
15 hydrochloride;

16 3. If you find the defendant KUANG-HUA CHEN guilty as charged in Count I of the
17 Superseding Indictment, do you unanimously find beyond a reasonable doubt that defendant
18 KUANG-HUA CHEN was:

19 a. Predisposed to commit the crime before being contacted by the government
20 agent?

21 _____ Yes

22 _____ No

23 or

24 b. Induced by the government agent to commit the crime?

25 _____ Yes

26 _____ No

**COUNT II - IMPORTATION OF
N, N-DIMETHYLAMPHETAMINE HYDROCHLORIDE**

We, the Jury, in the above-entitled case unanimously find the defendant, KUANG-HUA CHEN: Violation of Title 21, United States Code, Sections 952(a) and 960; and Title 18, United States Code, Section 2:

/ ☒ / NOT GUILTY

/ / GUILTY

as charged in Count II of the Superseding Indictment.

1. If you find the defendant KUANG-HUA CHEN guilty as charged in Count II of the Superseding Indictment, do you unanimously find beyond a reasonable doubt that the controlled substance that defendant KUANG-HUA CHEN either directly imported or aided, abetted or caused another to import was N, N-dimethylamphetamine hydrochloride?

_____ Yes

_____ No

2. If you find beyond a reasonable doubt that the controlled substance KUANG-HUA CHEN either directly imported or aided, abetted or caused another to import was N, N-dimethylamphetamine hydrochloride, do you unanimously find beyond a reasonable doubt that the total amount of N, N-dimethylamphetamine hydrochloride defendant KUANG-HUA CHEN either directly imported or aided, abetted or caused another to import was:

_____ at least 1.5 kilograms or more of N, N-dimethylamphetamine hydrochloride;

OR

_____ at least 50 grams or more of N, N-dimethylamphetamine hydrochloride;

OR

_____ at least 5 grams but less than 50 grams of N, N-dimethylamphetamine hydrochloride;

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_____ a detectable amount but less than 5 grams of N, N-
dimethylamphetamine hydrochloride;

3. If you find the defendant KUANG-HUA CHEN guilty as charged in Count II of the
Superseding Indictment, do you unanimously find beyond a reasonable doubt that defendant
KUANG-HUA CHEN was:

a. Predisposed to commit the crime before being contacted by the government
agent?

_____ Yes

_____ No

or

b. Induced by the government agent to commit the crime?

_____ Yes

_____ No

**COUNT III - CONSPIRACY TO DISTRIBUTE
METHAMPHETAMINE HYDROCHLORIDE**

We, the Jury, in the above-entitled case unanimously find the defendant, KUANG-HUA
CHEN: Violation of Title 21, United States Code, Sections 841(a)(1), 841(b) and 846:

/ ~~X~~ / NOT GUILTY

/ / GUILTY

as charged in Count III of the Superseding Indictment.

1. If you find the defendant KUANG-HUA CHEN guilty as charged in Count III of the
Superseding Indictment, do you unanimously find beyond a reasonable doubt that the controlled
substance that defendant KUANG-HUA CHEN conspired to distribute was methamphetamine
hydrochloride, also known as "ice"?

_____ Yes

_____ No

1 2. If you find beyond a reasonable doubt that the controlled substance KUANG-HUA
2 CHEN conspired to distribute was methamphetamine hydrochloride also known as "ice," do you
3 unanimously find beyond a reasonable doubt that the total amount of methamphetamine
4 hydrochloride also known as "ice," defendant KUANG-HUA CHEN either directly distributed or
5 agreed, understood, or reasonably could have foreseen would be distributed by other co-
6 conspirators in furtherance of the conspiratorial agreement was:

7 _____ at least 1.5 kilograms or more of methamphetamine hydrochloride;

8 OR

9 _____ at least 50 grams or more of methamphetamine hydrochloride;

10 OR

11 _____ at least 5 grams but less than 50 grams of methamphetamine
12 hydrochloride;

13 OR

14 _____ a detectable amount but less than 5 grams of methamphetamine
hydrochloride;

15 3. If you find the defendant KUANG-HUA CHEN guilty as charged in Count III of the
16 Superseding Indictment, do you unanimously find beyond a reasonable doubt that defendant
17 KUANG-HUA CHEN was:

18 a. Predisposed to commit the crime before being contacted by the government
19 agent?

20 _____ Yes

21 _____ No

22 or

23 b. Induced by the government agent to commit the crime?

24 _____ Yes

25 _____ No

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1 **COUNT IV - POSSESSION WITH INTENT TO DISTRIBUTE**
2 **N, N-DIMETHYLAMPHETAMINE HYDROCHLORIDE**

3 We, the Jury, in the above-entitled case unanimously find the defendant, KUANG-HUA
4 CHEN: Violation of Title 21, United States Code, Sections 841(a)(1), 841(b); and Title 18,
5 United States Code, Section 2:

6 / ☒ / NOT GUILTY

7 / / GUILTY

8 as charged in Count IV of the Superseding Indictment.

9 1. If you find the defendant KUANG-HUA CHEN guilty as charged in Count IV of the
10 Superseding Indictment, do you unanimously find beyond a reasonable doubt that the controlled
11 substance that defendant KUANG-HUA CHEN either directly possessed with intent to distribute
12 or aided, abetted or caused another to possess with intent to distribute was N, N-
13 dimethylamphetamine hydrochloride?

14 _____ Yes

15 _____ No

16 2. If you find beyond a reasonable doubt that the controlled substance KUANG-HUA
17 CHEN either directly possessed with intent to distribute or aided, abetted or caused another to
18 possess with intent to distribute was N, N-dimethylamphetamine hydrochloride, do you
19 unanimously find beyond a reasonable doubt that the total amount of N, N-dimethylamphetamine
20 hydrochloride defendant KUANG-HUA CHEN either directly possessed with intent to distribute
21 or aided, abetted or caused another to possess with intent to distribute was:

22 _____ at least 1.5 kilograms or more of N, N-dimethylamphetamine
hydrochloride;

23 OR

24 _____ at least 50 grams or more of N, N-dimethylamphetamine
hydrochloride;

25 OR

26 _____ at least 5 grams but less than 50 grams of N, N-
27 dimethylamphetamine hydrochloride;

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OR

_____ a detectable amount but less than 5 grams of N, N-
dimethylamphetamine hydrochloride;

3. If you find the defendant KUANG-HUA CHEN guilty as charged in Count IV of the
Superseding Indictment, do you unanimously find beyond a reasonable doubt that defendant
KUANG-HUA CHEN was:

a. Predisposed to commit the crime before being contacted by the government
agent?

_____ Yes

_____ No

or

b. Induced by the government agent to commit the crime?

_____ Yes

_____ No

DATED this 20 day of June, 2006, at Hagatna, Guam.



FOREPERSON